IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 1727 of 2004

Between:

Kondapaneni Geetha, W/o.Narsimha Rao R/o.Guntur, Guntur District

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Revenue (UC.I)Department

rep.by its Principal Secretary, Secretariat Buildings, Hyderabad.
2 The District Collector, Guntur District, Guntur
3 The Revenue Divisional Officer, Guntur, Guntur District.
4 The Mandal Revenue Officer, Guntur Mandal, Guntur District
5 The Special Officer & Competent Authority, Urban Land Ceiling,

Guntur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ of Mandamus, order or direction declaring the action of the respondents in not accepting the application for allotting the land purchased by me as per G.O.Ms.No.455, Rev.(U.C.I)Dept, and 456, Rev.(U.C.I)Dept, dated 29.7.2002 and seeking to dispossess from 391 Sq.yds or land and building belonging to the petitioner bounded by East: Bhemisetty Kotaiah Plot, South: Bhemsetty Kotaiah Plot, West: Bhemsetty Kotaiah Plot, North: 15' wide road forming part of Sy.No.270/A of Koratipadu Village, Guntur Municipal Corporation, respectively as arbitrary, illegal, violative of Fundamental rights guaranteed under Articles 14 and 19 of the Constitution of India and consequently direct the respondents not to demolish and dispossess me from my house site mentioned above.

Counsel for the Petitioner:MR.V.RAGHU

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

ORDER:

The writ petition has been filed by Kondapaneni Geetha with a prayer to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ, declaring the action of the respondents in not accepting the application for allotting the land purchased by her as per G.O.Ms.No.455, Rev. (U.C.I) Department and 456, Rev.(U.C.I) Dept., dated 29-7-2002, as arbitrary, illegal and violative of Fundamental Rights guaranteed under Articles 14 and 19 of the Constitution of India.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents No.1 to 5.

While, admitting the writ petition, an interim direction came to be issued on 30-01-2005 and which reads thus:-

> "It is represented by learned G.P for Revenue that a Division Bench of this Court in W.P.No.21396 of 2002, dt.
> 17-3-2002 directed to receive the applications made by the petitioners for regularization and till passing final orders they should not be evicted.
>
> In view of the same, petitioners, who are in possession, file applications for regularization under G.O.Ms.No.455 & 456 dt.29-7-2002, their applications may be received and they should not be evicted until final orders are passed."

It is stated that the writ petitioner has filed the petition for regularization and said petition is pending consideration. This Court in W.P.Nos.2040 & 2059 of 2004, directed the authorities to consider the applications for regularization of the possession and pass appropriate orders in accordance with law, after due notice to

the parties.

In the circumstances of the case, I deem it appropriate to follow the similar order and accordingly, the respondents are directed to consider the applications filed by the petitioner in pursuance of the interim direction dated 30-01-2005 for regularization of the possession and pass appropriate orders in accordance with law, after due notice to the parties.

Accordingly, the writ petition is disposed of. No costs.

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18th July, 2005.

To

1 The Principal Secretary, Government of Andhra Pradesh, Revenue

(UC.I)Department, Secretariat Buildings, Hyderabad.
2 The District Collector, Guntur District, Guntur
3 The Revenue Divisional Officer, Guntur, Guntur District.
4 The Mandal Revenue Officer, Guntur Mandal, Guntur District
5 The Special Officer & Competent Authority, Urban Land Ceiling,

Guntur.

6. Two CCs to GP Revenue, High Court Buildings, Hyderbad(OUT)

7. Two CD copies

8. One CC to MR.RAGHU